

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DATE FILED: 12/29/2021

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ROCHESTER DRUG CO-OPERATIVE, ET AL., :

1:21-MC-00846-ALC

Plaintiffs, :

TRANSFER ORDER

-against- :

MYLAN INC., ET AL., :

Defendants. :

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ANDREW L. CARTER, JR., United States District Judge:

On December 8, 2021, Plaintiffs Rochester Drug Co-Operative, Inc. and Dakota Drug, Inc. (“Plaintiffs”) moved this Court pursuant to Rule 45(f) of the Federal Rules of Civil Procedure to transfer their Motion to Compel Nonparty Amneal Pharmaceuticals, LLC (“Amneal”) to the United States District Court for the District of Minnesota (“District of Minnesota”). ECF NO. 5. Upon consideration of the motion, the accompanying memorandum of law, and Amneal’s response (consenting to the transfer motion), Plaintiffs’ Motion to Transfer is hereby **GRANTED**.

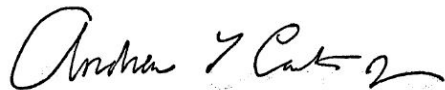
Rule 45(f) permits the court of compliance to transfer a motion to the issuing court “if the person subject to the subpoena consents or if the court finds exceptional circumstances.” Fed. R. Civ. P. 45(f). The Motion to Compel seeks documents and information that is directly relevant to the underlying litigation in the District of Minnesota, and the issuing court (i) has substantive knowledge and experience with this complex action involving multiple parties and (ii) is in active discovery in the underlying litigation, which already has a pre-set time for hearing

motions to compel filed in compliance with the District of Minnesota's Local Rules. *See generally In re EpiPen Direct Purchaser Litigation*, No. 20-CV-00827 (D. Minn. 2020); Plaintiffs' Motion to Transfer (ECF No. 5). Moreover, Amneal has consented to transfer to Minnesota federal court. Accordingly, Plaintiffs' Motion to Compel (ECF Nos. 1-4) shall be transferred to the United States District Court for the District of Minnesota.

The Clerk of Court is directed to transfer this action to the United States District Court for the District of Minnesota.

SO ORDERED.

Dated: December 29, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Andrew L. Carter, Jr.", is positioned above a horizontal line.

ANDREW L. CARTER, JR.
United States District Judge